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4 Attorneys for Plaintiff  
5 CAROLYN MARTIN

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10 UNITED STATES DISTRICT COURT  
11  
12 NORTHERN DISTRICT OF CALIFORNIA

13 CAROLYN MARTIN

14 CASE NO. C10-05195 JSW  
Civil Rights

15 Plaintiff,

16 V.

17 KOHL'S DEPARTMENT STORES,  
18 INC; HARSCH INVESTMENT  
19 REALTY LLC, SERIES C;  
20 JAMESTOWN HARSCH  
21 ALAMEDA TOWNE CENTRE,  
22 LP, a Delaware Limited Partnership,  
23 and DOES 1-25, Inclusive,

24 Defendants.

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**STIPULATION AND ORDER  
FOR DISMISSAL OF THE  
DAMAGES AND ATTORNEY'S  
FEES, LITIGATION EXPENSES,  
AND COSTS ASPECT, AND ALL  
OTHER REMAINING ASPECTS,  
OF THE LAWSUIT AGAINST  
DEFENDANT KOHL'S  
DEPARTMENT STORES, INC.**

29 FRCP section 41

1 Plaintiff CAROLYN MARTIN and Defendant KOHL'S  
2 DEPARTMENT STORES, INC., by and through their attorneys of record, enter  
3 into this "STIPULATION AND ORDER FOR DISMISSAL OF THE  
4 DAMAGES AND ATTORNEY'S FEES, LITIGATION EXPENSES, AND  
5 COSTS ASPECT, AND ALL OTHER REMAINING ASPECTS, OF THE  
6 LAWSUIT AGAINST DEFENDANT KOHL'S DEPARTMENT STORES,  
7 INC." pursuant to Federal Rule of Civil Procedure section 41.

8 Plaintiff filed this lawsuit on November 16, 2010.

9 Plaintiff and Defendant hereto have entered into a "Mutual Release And  
10 Settlement Agreement For Damages And Attorney's Fees, Litigation Expenses,  
11 And Costs " which settles the damages and attorney's fees, litigation expenses,  
12 and costs aspect, and all other remaining aspects, of the lawsuit against  
13 Defendant KOHL'S DEPARTMENT STORES, INC. A copy of the "Mutual  
14 Release And Settlement Agreement For Damages And Attorney's Fees,  
15 Litigation Expenses, And Costs " is incorporated by reference herein as if set  
16 forth in full. The Mutual Release And Settlement Agreement For Damages And  
17 Attorney's Fees, Litigation Expenses, And Costs" states in part that "The court  
18 shall retain jurisdiction to enforce this Settlement Agreement...". Plaintiff and  
19 Defendant hereto stipulate to the court retaining jurisdiction to enforce the  
20 "Mutual Release And Settlement Agreement For Damages And Attorney's Fees,  
21 Litigation Expenses, And Costs."

22 Plaintiff moves to dismiss with prejudice the damages and attorney's fees,  
23 litigation expenses, and costs aspect, and all other remaining aspects, of the  
24 lawsuit against Defendant KOHL'S DEPARTMENT STORES, INC.

25 Defendant KOHL'S DEPARTMENT STORES, INC., who has answered  
26 the complaint, agrees to the dismissal with prejudice of the damages and  
27 attorney's fees, litigation expenses, and costs aspect, and all other remaining

1 aspects, of the lawsuit as to it.

2 This case is not a class action, and no receiver has been appointed.

3 This Stipulation and Order may be signed in counterparts, and facsimile or  
4 electronically transmitted signatures shall be as valid and as binding as original  
5 signatures.

6 Wherefore, Plaintiff CAROLYN MARTIN and Defendant KOHL'S  
7 DEPARTMENT STORES, INC, by and through their attorneys of record, so  
8 stipulate.

9 Date: 5/14/13

SIDNEY J. COHEN  
PROFESSIONAL CORPORATION

10 /s Sidney J. Cohen

11 Sidney J. Cohen  
12 Attorney for Plaintiff  
13 Carolyn Martin

14 Date: May14, 2013

K & L GATES LLP

15 /s/ Timothy L. Pierce

16 Timothy L. Pierce  
17 Attorney for Defendant  
18 Kohl's Department Stores, Inc.

19 PURSUANT TO STIPULATION OF THE PARTIES, IT IS SO ORDERED:

20 The damages and attorney's fees, litigation expenses, and costs aspect,  
21 and all other remaining aspects, of the lawsuit as against Defendant KOHL'S  
22 DEPARTMENT STORES, INC. is dismissed with prejudice. The Court shall  
23 retain jurisdiction to enforce the "Mutual Release And Settlement For Damages  
24 And Attorney's Fees, Litigation Expenses, And Costs " between Plaintiff and  
25 Defendant KOHL'S DEPARTMENT STORES, INC.

26 Date: May 20, 2013

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28 Jeffrey S. White  
United States District Judge